



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

MINUTES
MAUI/LANAI ISLAND BURIAL COUNCIL MEETING

DATE: THURSDAY, SEPTEMBER 28, 2006
TIME: 9:00 A.M.
PLACE: COUNTY OF MAUI
PLANNING DEPARTMENT
KAULANA PAKUI BUILDING 1ST FLOOR
250 S. HIGH STREET
WAILUKU, HI 96793

ATTENDANCE:

Members: Dana Naone Hall, Vice-Chair
Kema Kanakaole
William Frampton
Edward Kaahui
Scott Fisher
Mei Lee Wong

Absent: Charles Maxwell (excused)
Leslie Kuloloio (excused)
Pua Paoa (excused)
Leslie Kuloloio (excused)
Keeaumoku Kapu (unexcused)

Staff: Kawika Farm, Clerk Stenographer II
Vince Kanemoto, Deputy Attorney General
Melissa Kirkendall, Maui Archaeologist
Hinano Rodrigues, Cultural Historian
Jenny Pickett, Maui Assistant Archaeologist

Guest: James Sparke Lisa Rotunno-Hazuka
Norman Nakamoto Nani Fay Paglinawan
Kalani Kapu Erik Fredericksen
Ryan Churchill Kalani Schmidt
Reed Ariyoshi

I. OPENING REMARKS

Vice-Chair, Dana Hall called the Maui/Lanai Islands Burial Council (MLIBC) meeting to order at 9:35 am and asked Kema Kanakaole to give the *pule wehe*. D. Hall announced the majority of the items on the MLIBC agenda would be deferred to a future meeting because a council member needed to attend to a personal matter and the MLIBC would lose quorum.

II. APPROVAL OF MINUTES

William Frampton moved and Scott Fisher seconded, “to approve the minutes of July 27, 2006.”

VOTE: ALL IN FAVOR. The motion carried unanimously.

III. BUSINESS

A BURIAL TREATMENT AND PRESERVATION PLAN FOR POSSIBLE BURIAL FEATURES CONTAINED WITHIN SITES 50-50-01-5139, 5142, 5157, AND 5158, HONOKAHUA AND NAPILI 2 & 3 AHUPUAA, LAHAINA DISTRICT, ISLAND OF MAUI, TMK: 4-2-01: 01

Recommendation: Discussion of a Burial Treatment and Preservation Plan.

Determination: Determination on a request to preserve in place possible human skeletal remains.

Erik Fredericksen of Xamanek Researches introduced himself, Kalani Schmidt and Ryan Churchill of Maui Land and Pineapple and Reed Ariyoshi of Warren-Unemori Engineering. E. Fredericksen said he would brief the council on what changes were made to the plan. E. Fredericksen said the second page of the plan needed to be corrected to read “Figure 2” and the third page needed to be corrected to read “Figure 3.”

E. Fredericksen said the tax map key (TMK) number, 4-2-01:42 would be included after the second to the last sentence of the first paragraph on page 2 as a result of a conversation with D. Hall. For clarification, D. Hall explained the possible burials were all on TMK: 4-2-01:42 and the title page had three TMKs listed. E. Fredericksen said TMK: 4-2-01:42 would also be added in the heading of page 5. E. Fredericksen said the second full paragraph on page 12 would be deleted. E. Fredericksen said the heading on page 11 would be amended to list only TMK: 4-2-01:42. D. Hall wanted to know if E. Fredericksen was planning on deleting reference to Napili. E. Fredericksen said he would not reference Napili and would only reference Honokahua ahupuaa. E. Fredericksen said the first sentence on page 11 would be amended to include TMK: 4-2-01:42 and Honokahua ahupuaa. D. Hall suggested deleting the word “constricted” in the second to the last sentence of the first paragraph on page 11. E. Fredericksen said item (b-7) on pages 13, 14, 16 and 17 would all be changed to only reflect TMK: 4-2-01:42. E. Fredericksen said the heading on page 18 would be amended to only show Honokahua ahupuaa and TMK: 4-2-01:42.

D. Hall said the majority of the 37 historic sites including the four possible burial features were encountered within Honokahua gulch during inventory survey conducted by Xamanek. D. Hall said three of the possible burial features were rock

overhangs/shelters to which E. Fredericksen confirmed. D. Hall thought Site 5139 Feature E was a single component rock overhang that was part of an agricultural complex. E. Fredericksen said Sites 5142 and 5157 were single feature possible burial sites. D. Hall thought Site 5158 was a nine feature complex which E. Fredericksen confirmed. In the last sentence under the subheading, Preservation Tasks on page 18, D. Hall said to change the word "inadvertently" to "adversely." In line two of the second paragraph on page 19, E. Fredericksen and D. Hall agreed that the words "located in the gulch bottom" should be changed to read "located within the gulch." D. Hall said the first sentence in the third paragraph on page 19 needed to be written more specifically to reference each possible burial site because not all the sites were located at the bottom of Honokahua gulch. D. Hall said the second sentence of the fourth paragraph on page 19 should be amended by deleting the words, "buffer of the fencing," and replacing with, "fence water line corridor." D. Hall suggested deleting item 1 under the subheading, long-term preservation on page 19 and renumbering the subsequent items.

D. Hall suggested revising the first item on page 20 which read, "Provisions for access to the site preservation area will be made for Native Hawaiian members of the community who wish to visit Site 5139 for traditional cultural purposes related to burial sites. Those visiting this site shall not physically disturb it. A 7-day notice to the Maui Land and Pineapple Company, Inc. and/or its assignee is requested prior to access." D. Hall suggested the item read, "Provisions for access to the site shall be made for Native Hawaiian members of the community who wish to visit Site 5139 for traditional cultural purposes related to burial sites. Those visiting this site shall not physically disturb or alter it. Access shall be permitted at reasonable dates and times mutually agreed upon by the landowner and Native Hawaiian community members." Both E. Fredericksen and K. Schmidt agreed to the revisions to the first item on page 20.

In the third line of the second paragraph on page 20, D. Hall suggested replacing the words, "any sites are," with "the site is." Within the same line of the same paragraph, D. Hall suggested amending the beginning of the next sentence from, "if the sites have been disturbed or are," to "if the site has been disturbed or is." D. Hall suggested replacing the word "will" with "shall" in the fourth line of the second paragraph on page 20.

D. Hall felt a 30 foot buffer for the sites that would be preserved was a little small given the large area of Honokahua gulch and the fact that relatively little development had occurred or was planned. D. Hall thought a larger buffer would serve to better protect the sites in the future. K. Schmidt said Maui Land and Pineapple did not want to implement a conservation easement over the entire Honokahua gulch, but was open to expanding the proposed 30 foot buffer areas. K. Schmidt said a provision was included within the burial treatment and preservation plan which said that if Maui Land and Pineapple planned on developing interpretive pathways or formal access to the site within the gulch, then Maui Land and Pineapple would come before the council to seek consultation. D. Hall suggested increasing the buffer areas to 75 feet to insure better protection of the sites within the Honokahua gulch area. The council agreed with increasing the buffer areas. K. Schmidt said the proposed water line corridor was at least 250 feet away from the closest site. K. Schmidt agreed to increase the buffer areas to 75 feet for all of the possible burial sites.

D. Hall wasn't sure what the 30 foot preservation area would look like for a multi-component site. E. Fredericksen said the 30 foot preservation area would extend beyond the most outlying features. D. Hall asked R. Ariyoshi if he had surveyed the sites within Honokahua gulch. K. Schmidt said a team from Warren-Unamori Engineering did survey the sites during the inventory survey conducted by Xamanek and resurveyed the sites during exploration of the water line installation project. D. Hall suggested updating the maps of the possible burial sites within the plan and to also have the maps show the preservation areas for each sites. K. Schmidt asked D. Hall for what sites in particular did she want the maps updated. D. Hall said Features C and E for Site 5158 and Feature C for 5139.

In the seventh line of the of first paragraph on page 22, D. Hall suggested increasing "75 feet" to "200 feet," which was the minimum distance construction activities could occur from a potential burial sites. K. Schmidt said she was fine with the increase. W. Frampton wanted to know if Maui Land and Pineapple would come before the council if future development was planned for Honokahua gulch to which K. Schmidt answered yes.

W. Frampton suggested labeling the proposed 12 inch waterline depicted in blue on the first exhibit of Appendix 1. W. Frampton mentioned there was a double typing error in the lower right corner on the second exhibit of Appendix 1. On the first exhibit of Appendix 1 and on figure 3, D. Hall said to delete all specific references to site numbers and to correct "SHPD" to "SIHP."

W. Frampton moved and E. Kaahui seconded, "that the Maui/Lanai Islands Burial Council recommends approval of the Burial Treatment Plan and Preservation Plan for Possible Burial Features contained within Sites 50-50-01-5139, 5142, 5157 and 5158, Located in the Kapalua Mauka Project Area, Honokahua Ahupuaa, Lahaina District, Island of Maui, TMK:4-2-01:42, as revised."

VOTE: ALL IN FAVOR. The motion carried unanimously.

S. Fisher moved and K. Kanakaole seconded, "the Maui/Lanai Islands Burial Council determines that four possible burial sites identified as sites 50-50-01-5139 Feature E, 5142, 5157 and 5158 Feature C and Feature F at TMK:4-2-01:42 shall be preserved in place based on the location of the burial sites in an area within a context of historic properties and as part of the cultural landscape of Honokahua gulch. In addition, the landowner requests preservation in place."

VOTE: ALL IN FAVOR. The motion carried unanimously.

D. Hall suggested switching items C and D on the agenda to accommodate an individual who traveled from Oahu to attend today's meeting in light of the fact that a council member needed to leave very shortly and the council would lose its quorum.

S. Fisher moved and Mei Lee Wong seconded, "to move item D up in place of item C."

VOTE: ALL IN FAVOR. The motion carried unanimously.

B. BURIAL TREATMENT AND PRESERVATION PLAN FOR HRT-ST. FRANCIS MEDICAL CENTER, WAILUKU AHUPUAA, WAILUKU DISTRICT, ISLAND OF MAUI, TMK: 3-8-07: 142.

Information/Recommendation: Update on preservation measures for an inadvertent discovery found during construction.

Lisa Rotunno-Hazuka of Archaeological Services Hawaii (ASH) introduced herself and said ASH had been conducting archaeological monitoring on the property for St. Francis Medical Center and Kaiser Permanente for about three years. L. Hazuka said ASH had a reinterment location on the back of the St. Francis property where a rock platform was also proposed to be constructed. L. Hazuka said the agenda item was brought before the council in the past at which time the council agreed to have the reinterment site in its present location. L. Hazuka said St. Francis intended to construct a lanai at the edge of the building near the reinterment site. L. Hazuka asked the landowner to relocate the proposed lanai to the edge of the building furthest away from the burial site. L. Hazuka said there would be a 10 foot buffer around the rock platform and native vegetation. L. Hazuka said the proposed reinterment platform would measure five foot in length and width and two foot in height. L. Hazuka said the reinterment site would contain the remains of three individuals, two complete males and one previously disturbed juvenile. D. Hall suggested a fence or rock wall be constructed around the reinterment site to better define the area. L. Hazuka said she would ask the property owner about having a low rock wall constructed around the reinterment site. L. Hazuka wanted to know if the council had any objections to the property owner's request to constructing the 16 foot by 16 foot concrete patio/lanai. The council did not have any objections. L. Hazuka said she would return at a future meeting with a developed preservation plan.

C. REQUEST FOR RELOCATION OF FAMILY BURIALS FOUND AT KELEWEA, DISTRICT OF LAHAINA, ISLAND OF MAUI, TMK: 4-5-23: 54, 55

Information/Recommendation: Discussion regarding the relocation of family burials to Waiola Church Cemetery.

Norman Nakamoto introduced himself and said he was representing the Makekau family. N. Nakamoto did not want the word "found" used when referencing the burials at Kelewea because it was a cemetery known to the family which had been at Kelewea for many years. N. Nakamoto was frustrated because he had been working on relocating burials at Kelewea for 13 years. N. Nakamoto was not sure what the process was to relocate burials and mentioned he had made numerous calls to staff, written multiple letters and visited the SHPD's office at Kapolei on several different occasions. N. Nakamoto said the reason for the request to relocate the burials was because the cemetery at Kelewea was land locked and there currently was no established easement to the gravesite. N. Nakamoto said there were two individuals and three infants that he wanted relocated to Wainee cemetery. N. Nakamoto did not want to relocate all the burials at Kelewea, only the burials which he was a direct descendant of. N. Nakamoto said one of the adult individual was his great, great grandmother and the other adult individual was his great grandmother. N. Nakamoto said a family convention was held

in 1993 at which time a consensus was unanimously agreed by the family to proceed with relocation of the burials to Wainee. N. Nakamoto said since 1993 many of the *kupunas* had passed away which was why he was really pushing for the relocation of the burial's completion.

D. Hall asked if the family cemetery at Kelewea was on both parcels 54 and 55 of TMK: 4-5-23. N. Nakamoto said he was not familiar with tax map key numbers. SHPD cultural historian, Hinano Rodrigues said there were two Makekau properties in the area of Kelewea, but he was unable to determine which parcel the gravesite was on. H. Rodrigues thought with the help of N. Nakamoto, they would be able to identify which parcel the cemetery was on. N. Nakamoto said the lands at Kelewea were originally owned by the Makekau *ohana* which was awarded to the family during the great *mahele*. N. Nakamoto said the Makekau who was awarded the property created the stipulation that family members had to live on the land for 10 years before they could do what they wanted with the land. N. Nakamoto said if family members moved off of the Makekau property within 10 years, then ownership of the property would go back to the Makekau family. N. Nakamoto said the original person awarded the Makekau property died in 1917 and resulted with the property being left with undivided interest. N. Nakamoto said his grandmother and aunt both owned a part of the undivided interest in the property. N. Nakamoto said he was not disputing ownership of the property or claims to the property.

N. Nakamoto said there was an intact old Hawaiian graveyard which the Makekau family used to bury their *ohana*. N. Nakamoto said it was customary in the older days for families to bury in their backyard. D. Hall wanted to know how N. Nakamoto was able to identify exactly which graves were his great grandmother's, his great great grandmother's and the three infants. N. Nakamoto said Meli Kahiwa Swinton Makekau was born in 1823 and died in 1925 at the age of 101 and had a headstone on her grave. N. Nakamoto said Lele Makekau Duncan was the daughter of Meli Makekau and that Lele Makekau was buried next to her mother. N. Nakamoto said Lele Makekau had four children, three of which all died before the age of three. N. Nakamoto said all three infants were buried in the same grave with their mother Lele Makekau. N. Nakamoto said his grandmother was the only child of Lele Makekau to survive. N. Nakamoto was not sure when Lele Makekau died but mentioned the Makekau family knows that she died before the turn of the century most likely in 1897 or 1898. N. Nakamoto said he had a noted forensic expert who would assist with relocation of the burials and to help ensure the burials were relocated properly.

D. Hall asked what the reason for relocating the burials was. N. Nakamoto said there currently was no access to the cemetery because homes had been built around the graveyard. N. Nakamoto said the home on the Makekau property had been rented out and it was a great inconvenience when people tracked through the property. N. Nakamoto said he was only asking to relocate the burials that he and his *ohana* identified with. N. Nakamoto said he and his family felt Wainee was the appropriate place for the graves to be relocated because he was working on another case that sought to have Lele Makekau's husband, John Duncan buried at Wainee. N. Nakamoto said John Duncan was relocated from his original resting place in Honokaa to a county graveyard on the island of Hawaii due to the development of a roadway project. N.

Nakamoto said John Duncan served as a deacon at Waiola church, which was why the family wanted to relocate his burial to Wainee. N. Nakamoto said John Duncan died while on a trip to the island of Hawaii and was subsequently buried there.

D. Hall asked if a claim for lineal descendancy had been submitted to SHPD for review to which H. Rodrigues answered yes. H. Rodrigues said he reviewed N. Nakamoto's application for lineal descent and concluded there was no doubt that N. Nakamoto was a direct descendant to the burials at Kelewea. H. Rodrigues said he had prolonged drafting a written recommendation from SHPD to the burial council because he wanted N. Nakamoto to explain his side of the agenda item. N. Nakamoto said a major setback in relocating the burials at Kelewea was the state's position that there were no records to prove Lele Makekau existed. N. Nakamoto said all the records of Lele Makekau was in Waiola church which was partially burnt in 1894 and partially burnt a second time in 1947 before finally being destroyed by the Kauaula winds in 1951. N. Nakamoto said the church at the time did not have a central depository for information from public churches. N. Nakamoto said he found Lele Makekau's marriage certificate from the board of health two nights ago while looking for something totally unrelated.

D. Hall thought N. Nakamoto may also need to submit a burial treatment plan to SHPD along with his descendancy application. Deputy attorney general, Vince Kanemoto thought N. Nakamoto simply needed a transit permit from the Department of Health (DOH). N. Nakamoto said he was told by the DOH to go before the burial council because Lele Makekau had died before the turn of the century. N. Nakamoto said he received a permit from the department of health to relocate the burial of John Duncan on the big island to Wainee because John Duncan was buried in an active graveyard. M. Kirkendall said the graveyard at Kelewea was not an actively used cemetery. M. Kirkendall said certain paperwork needed to be filed with the DOH for a cemetery to be considered active. N. Nakamoto said he was told by the DOH that he simply needed a recommendation from the burial council to allow him to relocate the burials at Kelewea. H. Rodrigues wanted to know the definition of the word "active" and how it relates to cemetery. H. Rodrigues did not think the council or SHPD would be able to assist N. Nakamoto until the definition of what an active cemetery was known. H. Rodrigues thought if a person visited and maintained a cemetery, then he would consider the cemetery to be active. H. Rodrigues said his grandfather was asked by the board of health in the late 50s if a permit would be filed to continue to bury people in the cemetery at Olowalu church. V. Kanemoto said Kawaihau church on Oahu was a known and maintained cemetery that was actively used despite not having a person buried in well over 50 years.

N. Nakamoto circulated photographs of the cemetery at Kelewea.

V. Kanemoto said there was a similar case on the big island. H. Rodrigues said he wanted N. Nakamoto on the agenda so SHPD and the burial council could try and answer what the meaning of an active cemetery was. V. Kanemoto did not think a cemetery needed to have burials interred to be considered active. D. Hall said the burials looked very well cared for after viewing pictures from N. Nakamoto. After viewing the photographs from N. Nakamoto, V. Kanemoto was convinced the burials at Kelewea were of a known and actively used cemetery.

Kalani Kapu introduced himself and gave his *mookuauhau*. K. Kapu recited his *mookuauhau* because he was related to the Makekau *ohana*. K. Kapu said he was present to help care for his ancestors who had passed on. K. Kapu said he did not know who N. Nakamoto was. K. Kapu said he was very familiar with the Makekau's genealogy through Charles Makekau of Lahaina. K. Kapu asked the burial council to consider all sides of the issues when making decisions. K. Kapu wanted to be sure the burials would be properly cared for. K. Kapu did not know N. Nakamoto, N. Nakamoto's family and how N. Nakamoto was connected to the burials at Kelewea. K. Kapu said his *ohana* had family buried at Kelewea. K. Kapu said his only knowledge prior to coming to the meeting was there was a request to relocate burials at Kelewea. K. Kapu wanted the burial council to be *akahela*.

N. Nakamoto said many Hawaiian families were connected. N. Nakamoto said he was unfamiliar with many of the names recited by K. Kapu during the *mookuauhau*. N. Nakamoto did not doubt that K. Kapu's family was laterally connected to the Makekau *ohana*, but N. Nakamoto did not think K. Kapu's family was directly connected to the burials requested to be relocated. N. Nakamoto said he had a letter from Charles Makekau who acknowledged and supported N. Nakamoto's efforts. N. Nakamoto said there will always be someone who objects to something being done regardless of the project. N. Nakamoto said he has his *ohana*'s support to continue the task of relocating the burials at Kelewea to Waiola church. N. Nakamoto said he is a lineal descendant to the burials at Kelewea. N. Nakamoto said he spoke with Charles Makekau's mother and met with Charles Makekau's brother who both gave N. Nakamoto their support. N. Nakamoto said he was requesting relocation of the burials publicly so anyone could voice their opinions.

V. Kanemoto said he could not legally advise N. Nakamoto on what to do. V. Kanemoto thought N. Nakamoto needed to hire an attorney to find out exactly what to do. N. Nakamoto said the DOH had referred him to the SHPD and the burial council. N. Nakamoto felt he was getting the "run-around." K. Kanakaole wanted to know how the council could help N. Nakamoto. W. Frampton asked if the DOH had given N. Nakamoto a green light to relocate as long as the burial council recommended approval to relocate the burials at Kelewea. N. Nakamoto said he was told by the DOH that he needed to take the matter up with the burial council. Since the burials were of native Hawaiians over 50 years of age, V. Kanemoto said the burial council could make a recommendation to recommend to the DOH by way of letter from the MLIBC Chair or Vice-Chair to allow N. Nakamoto to obtain a transit permit to relocate the remains at Kelewea. K. Kanakaole and W. Frampton were open to making the recommendation suggested by V. Kanemoto.

D. Hall was concerned if there was in fact unanimity of opinion by the Makekau *ohana*. N. Nakamoto was not sure why D. Hall would not think there was unanimity of opinion by the Makekau *ohana*. N. Nakamoto said he was president of the Makekau Association which represented the Makekau *ohana*. S. Fisher said the letter from Charles Makekau seemed to support N. Nakamoto. D. Hall said that people had been known to change their minds and mentioned the letter was written in 1993. D. Hall asked who maintained the graves at Kelewea and the age of the photographs which

were circulated earlier by N. Nakamoto. N. Nakamoto said he took the photographs about seven or eight years ago. W. Frampton thought part of the problem was that N. Nakamoto was unable to maintain the gravesites at Kelewea as he wanted to which N. Nakamoto confirmed. W. Frampton thought N. Nakamoto as president of the Makekau *ohana*, had the authority to act on behalf of the family. W. Frampton did not think N. Nakamoto would be president if he did not have the support of the Makekau family. W. Frampton reiterated the fact that a lot of the *kupunas* of the Makekau *ohana* who did support and want the burials at Kelewea to be relocated had passed away.

D. Hall asked H. Rodrigues if he had heard from any other member of the Makekau *ohana* other than N. Nakamoto. H. Rodrigues said he spoke with Charles Makekau a few months ago. H. Rodrigues said Charles Makekau was surprised there was a desire on behalf of N. Nakamoto to relocate burials at Kelewea. H. Rodrigues conveyed Charles Makekau's position to N. Nakamoto who immediately sent H. Rodrigues a letter signed by Charles Makekau supporting N. Nakamoto's desire to relocate the burials at Kelewea. H. Rodrigues thought the issue was a family matter.

V. Kanemoto thought the DOH without full cause, may had placed N. Nakamoto's case on the shoulders of the MLIBC. V. Kanemoto suggested the burial council refer N. Nakamoto to an attorney because N. Nakamoto's case was outside of the council's purview. D. Hall did not feel it had been established of who had jurisdiction and did not feel comfortable making any recommendations. W. Frampton wanted to know if N. Nakamoto's case was completely outside of the MLIBC's purview. V. Kanemoto said the council could make recommendations with the establishment that the remains at Kelewea were of Hawaiian ethnicity over 50 years of age. V. Kanemoto was not sure how much a recommendation from the council would help N. Nakamoto. D. Hall thought N. Nakamoto's case was a matter to be worked out between the DOH and the SHPD.

N. Nakamoto wanted to know if he was being advised to seek out an attorney. N. Nakamoto was frustrated because he felt he was being given the "run-arounds." N. Nakamoto said he was told he needed a permit, then he needed to come before the burial council and now he needs an attorney. W. Frampton wanted to know if the council could send a letter to the DOH requesting an explanation as to why was N. Nakamoto's case had been referred to the MLIBC. N. Nakamoto said he was told by the DOH that native Hawaiian burials over 50 years of age was a matter for the respective burial council. W. Frampton thought correspondence should occur which would help to untangle N. Nakamoto's case. N. Nakamoto said the majority of his interaction had been with clerks and felt a matter could only be pushed so far with clerks. N. Nakamoto said he had a transit permit from the DOH for the burial on the island of Hawaii [which would be relocated to Lahaina]. V. Kanemoto did not think the MLIBC should be involved with N. Nakamoto's case. V. Kanemoto felt N. Nakamoto needed to obtain an attorney to go to the DOH and seek a resolution on the matter.

N. Nakamoto said he would get an attorney if that was the position of the council. N. Nakamoto said he wanted to be pointed in a direction because he had been working on the particular issue for a very long time. N. Nakamoto said he had notes on the numerous calls he had made to SHPD and Piilani Chang (Oahu cultural historian). N.

Nakamoto said he called MLIBC Chair, Charles Maxwell in [April of 2004 and again in] September of 2005. D. Hall said the council did not doubt N. Nakamoto's efforts with trying to relocate the burials at Kelewea. D. Hall was not sure what the MLIBC could do. N. Nakamoto said he would seek an attorney to pursue the issue. N. Nakamoto said if in the future he needed to come back before the MLIBC, he would. N. Nakamoto thanked the council for their time and felt progress had been made.

E. Kaahui felt that if the council did not have purview over N. Nakamoto's case, then the council should at least make the DOH aware of that circumstance. W. Frampton agreed with E. Kaahui. V. Kanemoto suggested having SHPD take up the matter with the DOH. W. Frampton thought it was important to contact the DOH and to find out why N. Nakamoto was referred to the MLIBC. M. Wong also thought it would be good to get some type of explanation from the DOH which would at least give N. Nakamoto a response to pursue. The council understood N. Nakamoto's frustration. D. Hall said the council could recommend to SHPD's Administrator, Melanie Chinen to draft a letter to the DOH and asked H. Rodrigues if he was in agreement with the recommendation. H. Rodrigues said the council had already told N. Nakamoto to obtain an attorney and it would be best to let N. Nakamoto's attorney resolve the situation. H. Rodrigues said SHPD would pursue the matter if N. Nakamoto's attorney is unable to resolve the situation. W. Frampton thought SHPD could give N. Nakamoto's attorney background information if and when SHPD is contacted. D. Hall thought it would be best to leave the situation as is at the present time.

D. Hall said the remaining items on the agenda would be deferred until the following month's MLIBC meeting.

IV. ADJOURNMENT

W. Frampton moved and S. Fisher seconded, "to adjourn the meeting at 11:15 a.m.

VOTE: ALL IN FAVOR. The motion carried unanimously.

Respectfully Submitted,

Kawika Farm
Clerk Stenographer II
Historic Preservation Division